

OLIFF & BERRIDGE, PLC

ATTORNEYS AT LAW

September 28, 2006

277 SOUTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314TELEPHONE: (703) 836-6400
FACSIMILE: (703) 836-2787
E-MAIL: EMAIL@OLIFF.COM
WWW.OLIFF.COM**FACSIMILE TRANSMISSION COVER SHEET**

To: PCT Legal Administration

Fax: 571-273-0459

From: James A. Oliff

Your Ref.: 10/566,607

Our Ref.: 126868

Number of Pages Sent (Including cover sheet): 13

Prepared By: emt

Comments:

Sent By: _____

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RECEIVED
29 SEP 2006Legal Staff
International Division

PATENT APPLICATION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of

ATTENTION:

Masateru NAKAMURA

Mail Stop PCT Legal Administration

Application No.: 10/566,607

Filed: January 31, 2006

Docket No.: 126868

For: METHOD OF PRODUCTION OF SILICON CARBIDE SINGLE CRYSTAL

PETITION UNDER 37 CFR 1.181

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The original Official Filing Receipt in the above-identified application indicated a filing date of July 21, 2006. This Petition requests that a new Official Filing Receipt be issued in this application, properly indicating the filing date as January 31, 2006.

This application was initially timely filed as a PCT-U.S. National Phase application on January 31, 2006. Concurrently, Applicants filed an executed Declaration of the inventors on January 31, 2006, which completed all of the requirements under 35 U.S.C. §371.

On June 23, 2006, A Notification of Missing Requirements was issued, requiring submission of the executed Declaration of the inventors. On July 21, 2006, Applicants timely responded to the Notification of Missing Requirements, indicating that the executed Declaration was previously filed January 31, 2006, and providing a copy of the executed Declaration as well as the date-stamped postcard receipt acknowledging receipt thereof on January 31, 2006.

Accordingly, the indicated filing date on the Official Filing Receipt, July 21, 2006, corresponds to the date on which Applicants responded to the Notification of Missing Requirements and provided a duplicate copy of the previously-filed executed Declaration of the inventors. However, the indicated filing date on the Official Filing Receipt should be January 31, 2006, the date on which Applicants originally filed the executed Declaration of the inventors.

Applicants were informed that in order to make this correction, the instant Petition was required.

A copy of the executed Declaration as filed, a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 and a copy of the stamped postcard receipt are attached hereto.

Applicants respectfully request the filing date be correctly identified as January 31, 2006 and that a new Official Filing Receipt be issued reflecting the correct filing date.

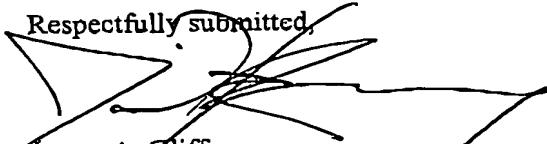
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29 SEP 2006

*Legal Staff
International Division*

Application No. 10/566,607

The Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461. Two duplicate copies of this paper are attached.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

David R. Kemeny
Registration No. 57,241


JAO:DRK/emt

Date: September 29, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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AUTHORIZATION**
Please grant any extension
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Deposit Account No. 15-0461

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In re the Application of

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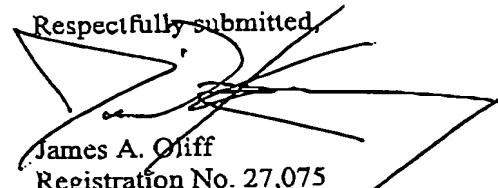
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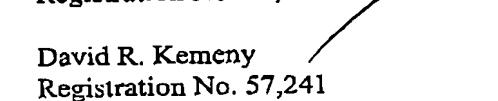
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(Oliff)

PTO/SB/106 (1-00)

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named Inventor, I hereby declare that:

私の住所、郵便の元元として日本は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名前の発明について、特許請求範囲に記載され、且つ元件が求められている発明生目にて記載してある。私は、最初、唯一の発明者である（第一の氏名が記載されている場合）か、又は最初、唯一の発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention outlined.

METHOD OF PRODUCTION OF SILICONCARBIDE SINGLE DRYSTAL

上記発明の明細書はここに添付されているが、下記の部がチェックされている場合は、この限りでない：

_____ の日に出願され、
この出願の米国出願番号またはPCT国際出願番号は、
_____ であり、且つ
_____ の日に補正された出願（適当する場合）

the specification of which is attached hereto unless the following box is checked:

was filed on November 19, 2004
as United States Application Number or
PCT International Application Number
PCT/JP2004/017632 and was amended on
(if applicable).

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を以てし、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、米邦規則法第37条規則1.56に定義を定めている、特許について正義を負担を負担する旨がわかることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

Japanese Language Declaration
(日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または登録出願の
出願、ないは米国以外の少なくとも一国を指定している米国第35
US法第365条(e)によるPCT国際出願について、第18条100条(e)
(i)項又は第365条(e)項によるPCT国際出願を主張するとともに、
該出願を主張する出願の出願日よりも前の出願日を有する外国での
特許出願または登録出願の出願、ないはPCT国際出願については、
いかなる出願も、下記の内訳をチェックすることにより示した。

Prior Foreign Application(s)

外国での先行出願

2003-394083 (Pat. Appln.) Japan

(Number)
(番号)(Country)
(国名)(Number)
(番号)(Country)
(国名)Priority Not Claimed
優先権を主張しない

25/November/2003

(Day/Month/Year Filed)
(出願日/月/年)(Day/Month/Year Filed)
(出願日/月/年)

私は、ここに、下記のいかなる米国仮査査出願についても、その米
国法第35US第111条(e)項の刊名を主張する。

(Application No.)
(出願番号)(Filing Date)
(出願日)(Application No.)
(出願番号)(Filing Date)
(出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法
第35US第120条(e)によるPCT国際出願についても、その米国法第365条(e)に該出
願を主張する。また、本出願の各特許登録の出願の主張が、米国法第35
US第112条第1項に規定された場合で、先行する米国出願又は
PCT国際出願に公示されていない場合はにおいては、その先行出願の
出願日と本国内出願日またはPCT国際出願との間の期間中に入手
された場合で、米国法第37条規則1、56に定められた条件
は、因る重要な情報について公示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(e) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which becomes available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.)
(出願番号)(Filing Date)
(出願日)(Status: Patented, Pending, Abandoned)
(現況: 特許許可、待査中、放棄)(Application No.)
(出願番号)(Filing Date)
(出願日)(Status: Patented, Pending, Abandoned)
(現況: 特許許可、待査中、放棄)

私は、ここに表明された出願の効果に付する権利が異常であり、
且つ開始と停止することによづく復述が、真実であると信じらるべきことを
主張し、自らに、口宣に虚偽の口述などを行った場合は、米国法第
18条第100条(e)に該出願を主張する。また、米国法第35US第100条(e)
により取消され、またそのような状況による取消の口述は、本出願を
主張する。私は、この出願に対する特許権も、その有効性に問題が生
じた場合は、その対して発行されるいかなる特許も、その有効性に問題が生
じたことを以前した上で口述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own
knowledge are true and that all statements made on information
and belief are believed to be true; and further that these statements
were made with the knowledge that wilful false statements and the
like so made are punishable by fine or imprisonment or both, under
Section 1001 of Title 18 of the United States Code and that such
wilful false statements may jeopardize the validity of the application
or any patent issued thereon.

Japanese Language Declaration
(日本語宣言書)

お詫び： これは本出願を審査する手続を行い、且つ米国特許商標庁とのまでの交渉を行るために、定められた代理人として、下記の弁護士及び/または代理人を正しくする。（氏名及び登録番号を記入すること）

James A. Oliff, REG. No. 27,075; William P. Berridge Reg. No. 30,024; Thomas J. Pardini Reg. No. 30,411; Joel S. Armstrong Reg. No. 36,430; Mario Costantino Reg. No. 33,565
お詫び： これらの代理人の連絡先

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

James A. Oliff, REG. No. 27,075; William P. Berridge Reg. No. 30,024; Thomas J. Pardini Reg. No. 30,411; Joel S. Armstrong Reg. No. 36,430; Mario Costantino Reg. No. 33,565
お詫び： これらの代理人の連絡先

OLIFF & BERRIDGE
P.O. BOX 1992A
ALEXANDRIA, VIRGINIA 22320
USA
Telephone No. 703-836-6400

お詫び： 連絡先：（氏名及び電話番号）

Direct Telephone Calls w/ (name and telephone number)

第一または第一発明者氏名

Full name of sole or first inventor

Masateru Nakamura

発明者の氏名

日付

Inventor's signature

Date

Masateru Nakamura

January 18

2006

住所

Residence

Toyota-shi, Aichi, Japan

国籍

Citizenship

Japanese

郵便の宛先

Post Office Address

c/o TOYOTA JIDOSHA KABUSHIKI

KAISHA, 1, Toyotacho, Toyota-shi, Aichi 471-8571, Japan

第二共同発明者がいる場合、その氏名

第二共同発明者の氏名

日付

Second Inventor's signature

Date

住所

Residence

国籍

Citizenship

郵便の宛先

Post Office Address

（三回以下の共同発明者についても同様に記入し、署名をすること）

(Supply similar information and signature for third and subsequent joint inventors.)

FORM PTO-1390 (REV. 01-2003) TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 126868
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) New U.S. Patent Application	
INTERNATIONAL APPLICATION NO. PCT/JP2004/017652	INTERNATIONAL FILING DATE November 19, 2004	PRIORITY DATE CLAIMED November 25, 2003	
TITLE OF INVENTION METHOD OF PRODUCTION OF SILICON CARBIDE SINGLE CRYSTAL			
APPLICANT(S) FOR DO/EO/US Masateru NAKAMURA			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). c. <input checked="" type="checkbox"/> The International Application was filed in English. </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>			
<p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13/er.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> International Search Report.</p>			

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) New U.S. Patent Application		INTERNATIONAL APPLICATION NO. PCT/JP2004/017652		ATTORNEY'S DOCKET NUMBER 126868
21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY
BASIC NATIONAL FEE (37 CFR 1.492(a)):		\$ 300.00		\$300.00
SEARCH FEE (37 CFR 1.492(b)(1)-(3)):				\$400.00
International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage		\$ 0.00		
International search fee (37 CFR 1.445(a)(2)) paid to USPTO as ISA		\$ 100.00		
International search report provided to USPTO no later than the time at which the search fee is paid		\$ 400.00		
All situations not provided for above		\$ 500.00		
EXAMINATION FEE (37 CFR 1.492(c)(1)-(2)):				\$200.00
International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage		\$ 0.00		
All situations not provided for above		\$ 200.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$
TOTAL PAGES OF APPLICATION OVER 100 (- 100)	0 ÷ 50	= 10	× 250 =	\$0
†round up to next integer				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
TOTAL CLAIMS	11 - 20	= 0	× 50.00 =	\$0
INDEPENDENT CLAIMS	2 - 3	= 0	× 200.00 =	\$0
MULTIPLE DEPENDENT CLAIM(S)(if applicable)		+ 360.00 =		\$
TOTAL OF ABOVE CALCULATIONS =				\$900.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½ .				\$
SUBTOTAL =				\$900.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
TOTAL NATIONAL FEE =				\$900.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$
TOTAL FEES ENCLOSED =				\$900.00
				Amount to be refunded: \$
				charged: \$
a. <input checked="" type="checkbox"/> Check No. 175900 in the amount of \$900.00 to cover the above fees is enclosed.				
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed.				
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC Customer Number: 25944				
Date <u>January 31, 2006</u>		NAME: James A. Oliff REGISTRATION NUMBER: 27,075		
		NAME: Joel S. Armstrong, REGISTRATION NUMBER: 36,430		

PTO RECEIPT FOR FILING OF PAPERS**The following papers have been filed:**

PCT t; ck 175900 (\$900); PRELIM; 31 pp. spec/11 claims/abst; 9 pp. form draw (figs 1-10);
PCT Request; dec; assign t; ck 175892 (\$40); assign; ids; 1449; 3 ref; 2 abst; 2 trans; ISR;

Name of Applicant: Masateru NAKAMURA**Serial No.:** New U.S. Patent Application**Atty. File No.:** 126868**Title (New Cases):** METHOD OF PRODUCTION OF SILICON CARBIDE SINGLE CRYSTAL**Sender's Initials:** JAO/per

104/14

NEW APPLICATION

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